

In the claims:

1. (currently amended) A method for use by a first device capable of communicating in a wireless communications environment via a radio frequency channel with a second device, with which the first device is communicating, comprising the steps of:

obtaining data indicative of distance to the second device;

detecting that a third ~~another~~ device is also using the radio frequency channel;

obtaining data indicative of distance to the third device; and

adjusting transmit power ~~in response to said detecting~~ as a function of distance to the second device and distance to the third device such that:

if the third device is nearer to the first device than the second device, setting transmit power based on distance to the second device; and

if the third device is not nearer to the first device than the second device, setting transmit power based on distance to the third device.

2. (currently amended) The method of claim 1 wherein the step of adjusting transmit power does so in response to a message received from the third ~~another~~ device, the message indicating the transmitted power level of the third ~~another~~ device.

3. (currently amended) A method for use by a first, fixed location wireless device capable of communicating in a wireless communications environment via a radio frequency channel with a second, mobile wireless device with which the first device is associated, comprising the steps of:

obtaining data indicative of distance to the second device;

detecting that a third, fixed location wireless ~~another~~ device is also using the radio frequency channel;

obtaining data indicative of distance to the third device; and

adjusting transmit power in response to a message received from the third ~~another~~ device, the message indicating the power level of the third ~~another~~ device, such that:

if the third device is nearer to the first device than the second device, setting transmit power based on distance to the second device; and

if the third device is not nearer to the first device than the second device, setting transmit power based on distance to the third device.

4. (original) A method for use by a device capable of communicating in a wireless communications environment via a radio frequency channel, comprising the steps of: maintaining a known devices table, wherein the known devices table includes an entry for each other device operating on the radio frequency channel, and wherein for each entry, a backoff value is recorded for each other device, the backoff value for each device indicative of an amount that the device's power has been adjusted; setting the transmit power of the apparatus to a level equivalent to the apparatus' maximum transmit power minus the maximum of the backoff values recorded for each other device.

5. (original) The method of claim 4 further comprising the step of: transmitting a backoff value indicative of the amount by which the apparatus has adjusted its transmit power.